



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch

Post Office Box 3755

Seattle, Washington 98124-3755

Telephone (206) 764-6902

ATTN: Keith Gordon, Project Manager

Public Notice Date: March 26, 2004

Expiration Date: April 26, 2004

Reference: 199801646

Name: McBride, Scott

Interested parties are hereby notified that an application has been received for a Department of the Army (DA) permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT - Mr. Scott McBride
2501 West Marine Drive
Bremerton, Washington 98377
Telephone: (None provided)

AGENT - Hecker Architects
223 Shore Drive
Bremerton, Washington 98310
Mr. Jeffrey Hecker
Telephone: (360) 479-5459

LOCATION - In Ostrich Bay within Dyes Inlet, Bremerton, Washington.

WORK - Installation of an 80-foot by 4-foot grated pier, a 31.5-foot by 4-foot grated aluminum ramp, a 6-foot by 4-foot floating ramp overrun and an 18-foot by 4-foot float. Floatation material is plywood encased styrofoam. Wooden 4-inch by-10 inch float stops will prevent the float from grounding. A total of 12 chemonite treated piles will be driven by barge-mounted pile driver.

PURPOSE - Provide recreational boating access to Ostrich Bay.

ADDITIONAL INFORMATION - The original application for this project included a boathouse and retaining wall. Both those items have been constructed landward of U.S. Army Corps of Engineers (Corps) jurisdiction. Therefore, neither required a DA permit because they are above the Corps line of jurisdiction. The applicant's original mitigation proposal included removal of a dilapidated boathouse and pilings. Since the 1998 date of the original application; that boathouse was destroyed by a storm. The remaining pilings will be removed as mitigation for this project as listed below.

MITIGATION - Removal of approximately 10 existing creosote piles.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle (*Haliaeetus leucocephalus*) threatened, Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) threatened, Puget Sound bull trout (*Salvelinus confluentus*) threatened, marbled murrelet (*Brachyramphus marmoratus*) threatened,

Stellar sea lion (*Eumetopias jubatus*) endangered, humpback whale (*Megaptera novaeangliae*) endangered, leatherback sea turtle (*Dermochelys coriacea*) endangered in the State of Washington (State), may occur in the proposed project area. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle, Puget Sound chinook salmon, Puget Sound bull trout, marbled murrelet, Stellar sea lion, humpback whale and leatherback sea turtle.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, groundfish and coastal pelagic species occurs in the project area. The proposed action would impact approximately .01 acres of EFH for these species.

If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES - The District Engineer (DE) has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The DE invites responses to this public notice from Federal, Native American Nations or tribal governments, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other

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public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

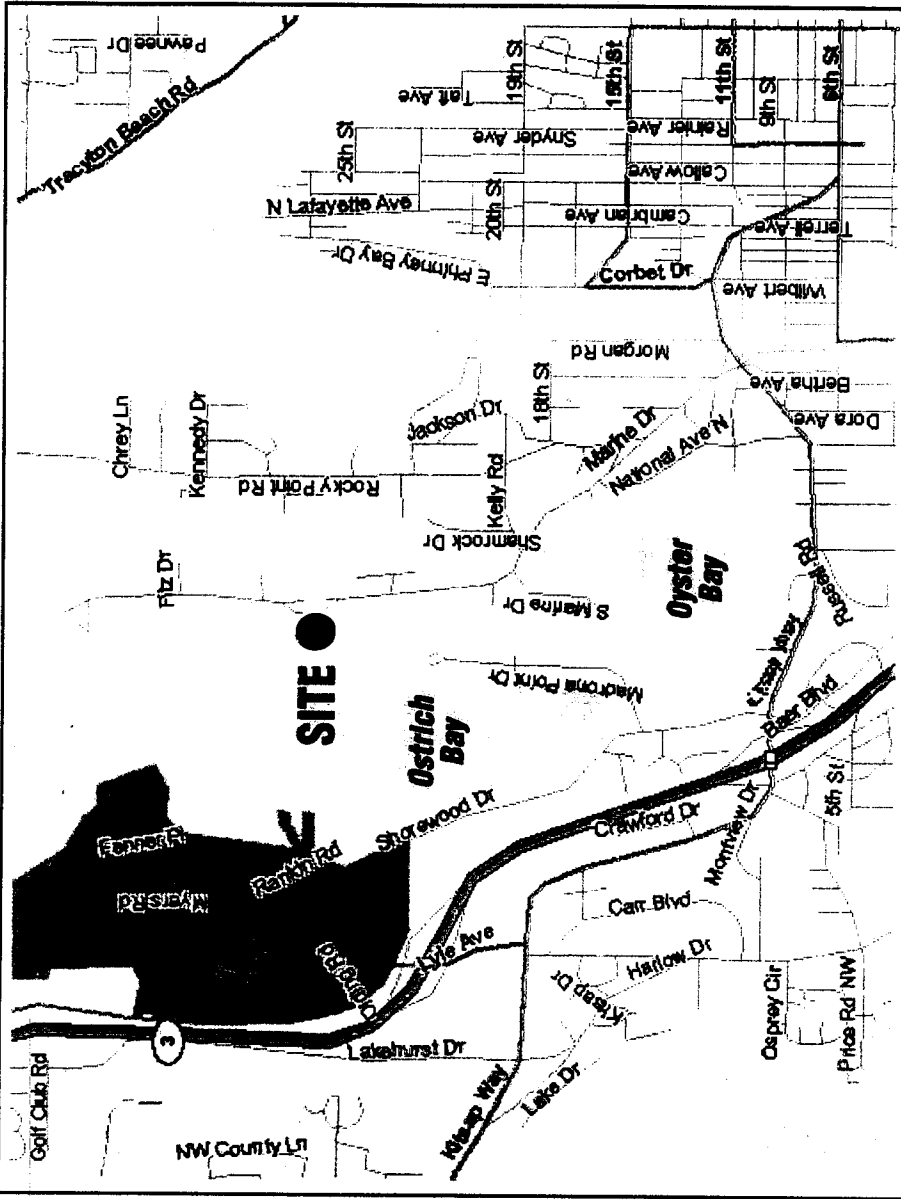
ADDITIONAL EVALUATION - The State is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. PL99-0091, which has been issued by the City of Bremerton.

COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to: *Keith.Q.Gordon@usace.army.mil*. Conventional mail comments should be sent ATTN: Keith Gordon, Regulatory Branch, CENWS-OD-RG. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Scott McBride, 199801646

Encl
Drawings (3)



Latitude 47, 35, 09 Longitude 122, 40, 36 T.S.R.: SE-09-24N-01E

Purpose: Joint Use Boat Moorage

Datum: N.O.S. M.L.L.W. = 0.00'

Adjacent Property Owners:

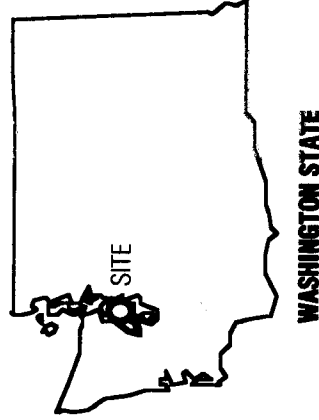
1. Larson, Kenneth
2. Ogg, Eleanor



Vicinity Map
NO SCALE

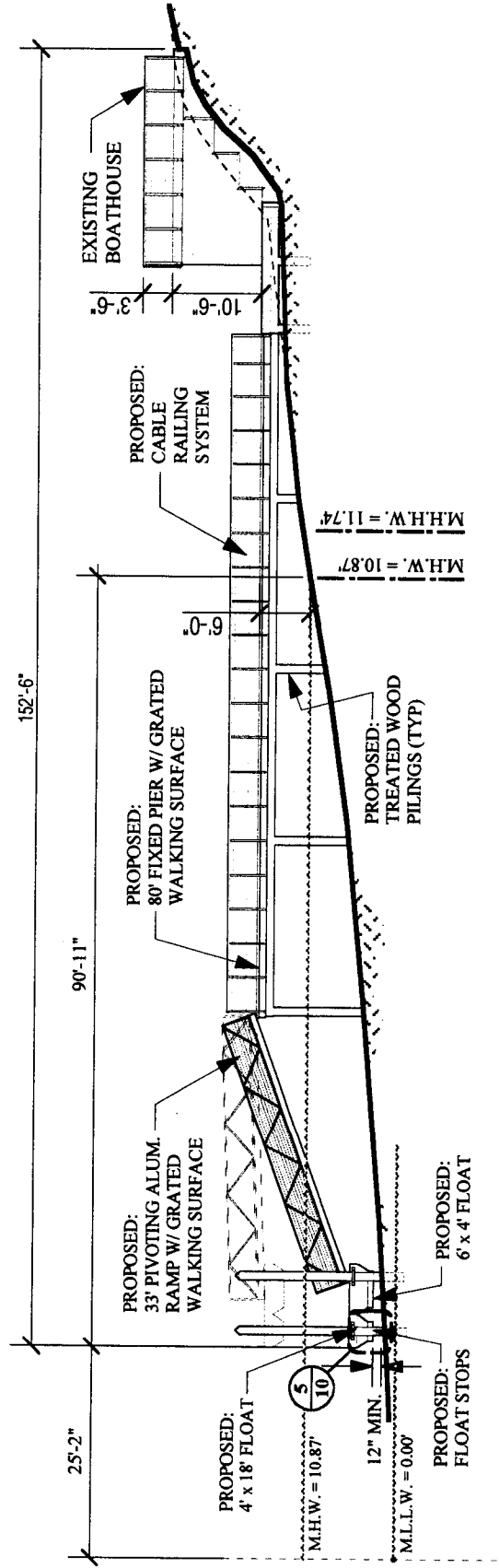
Directions to Site:

From Hwy 3 heading North, take the Kitsap Way exit. Turn right heading East for approximately 1 mile. Turn left at Marine Drive heading North. Follow roadway for approximately 1.5 miles and turn left on West Marine Drive. Property address is 2501 West Marine Drive, Bremerton, Washington.



1. Reference #: 98-1-01646
2. Proposed: Pier, Ramp, Float, Pillings
3. In: Ostrich Bay, Dyes Inlet
4. At: Bremerton
5. Application by: McBride, Scott

Sheet / of 3 Date 12/11/03



Purpose: Joint Use Boat Moorage

Datum: N.O.S. M.L.L.W. = 0.00'

Adjacent Property Owners:

1. Larson, Kenneth
2. Ogg, Eleanor

Site Section

1" = 20'-0"

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Sheet 2 of 3 Date 12/8/00 Rev: 12/11/03



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: 03/26/04

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 199801646 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600